

REMARKS

The indication that claims 22 and 24-25 include patentable subject matter is acknowledged with thanks. In reliance thereon, claims 22 and 24-25 have been amended into independent form. Claims 21, 23, and 26 have been canceled to place the application in condition for allowance.

Claims 21 and 23 were rejected as anticipated by VANCRAEYNEST 6,859,444 and claims 18-20 and 26 were rejected as unpatentable over VANCRAEYNEST in view of WALTON et al. 6,493,331. Claims 21, 23, and 26 have been canceled and withdrawal of the rejection of these claims is respectfully requested.

Claims 18-20 have been amended to clarify that the first and second base stations communicate with the first and second terminals using the same frequency. Support for the amendment is found, for example, at page 2, line 14. Neither VANCRAEYNEST nor WALTON et al. disclose the time slot allocation of claim 18 wherein when a first one of the terminals that communicates with a first one of the base stations using a first frequency and a second one of the terminals that communicates with a second one of the base stations using the same first frequency are located in the boundary regions of the first and second ones of the base stations, the first and second ones of the base stations allocate different time slots to the first and second ones of the terminals, and wherein when the first one of

the terminals that communicates with the first one of the base stations using the first frequency is located in the boundary regions of the first and second base stations when the second one of the terminals that communicates with the second one of the base stations using the first frequency is located out of the communication area of the first one of the base stations and out of the boundary regions of the first and second ones of the base stations, the first and second ones of the base stations are permitted to allocate a same time slot to the first and second ones of the terminals.

See, for example, that in Figures 1A and 1B of VANCRAEYNEST at least one of the time slots and frequencies is differently allocated for communicating with base stations RP1 and RP2. WALTON et al. do not make up for this shortcoming. Accordingly, amended claims 18-20 avoid the rejection under §103.

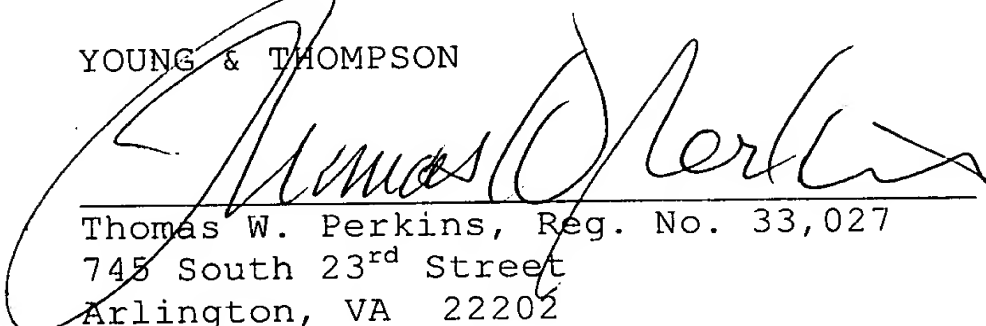
In view of the present amendment, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional
fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

A large, stylized handwritten signature in black ink, appearing to read "Thomas W. Perkins", is written over the typed name and address.

Thomas W. Perkins, Reg. No. 33,027
745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297
Telefax (703) 685-0573

TWP/fb